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Attorneys for Plaintiffs  
Shalom S. Cohen individually and on behalf of  
the Members of SAGDIANA, LLC.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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Shalom S. Cohen Individually and on behalf of the  
Members of Sagdiana, LLC.,

Plaintiffs,

-against-

Boris Mallayev, Moshe Ishakov, Nelly Ishakov,  
Ester Tzegaegbe, SAGDIANA, LLC., Charles I.  
Pollack, Esq., Segal, Fryer, Shuster & Lester, P.C.  
and Mikhail Mallayev

Defendants.

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CIVIL ACTION NO.: CV-06-4830

**PLAINTIFFS' NOTICE OF  
DISMISSAL WITHOUT  
PREJUDICE PURSUANT TO  
F.R.C.P. 41(a)(1)**

Plaintiffs notify the Court that, with no answers or motions for summary judgment having  
been filed, Plaintiffs hereby dismiss this action without prejudice pursuant to F.R.C.P. 41(a)(1).

Dated: Westbury, New York  
January 19, 2007

Stern, Adler & Weinstein, LLP.

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By: Steven M. Weinstein, Esq. (SMW8353)  
Attorney for Plaintiffs  
Shalom S. Cohen individually and on behalf of  
the Members of SAGDIANA, LLC.  
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*S. ordered.*

s/Allyne R. Ross

*J.S. P.J.*